

INGRAM BARGE COMPANY

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SUPERFUND DIV.
DIRECTOR'S OFFICE

August 22, 2011

Mr. Kevin Shade, Enforcement Officer
Superfund Enforcement Assessment Section (6SF-TE)
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

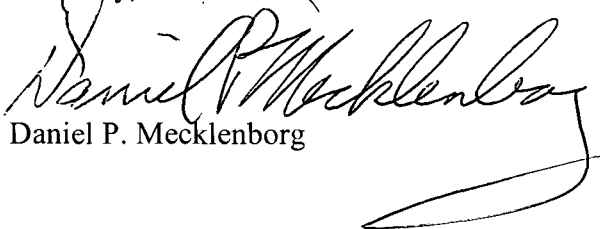
Re: Gulfco Marine Maintenance Superfund Site, Freeport, Brazoria County, Texas
Response to CERCLA 104 (e) Information Request Letter

Dear Mr. Shade:

By your July 5, 2011 letter, the EPA requested that Ingram Marine Group (also known as Ingram Barge Company) ("Ingram") respond to several questions concerning alleged prior activities at the Gulfco Marine Maintenance Superfund Site ("Gulfco" or "Site"). Ingram received this request after July 5th, and obtained a 30 day extension of time to respond from Anne Foster, Assistant Regional Counsel with EPA's Office of Regional Counsel (6RC-S). Our response is, thus, due by August 22, 2011. Please see the attached response to EPA's CERCLA Section 104(e) Request for Information ("RFI").

Please feel free to contact me if you have any questions or need additional information.

Sincerely,


Daniel P. Mecklenborg



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RESPONSE OF INGRAM BARGE COMPANY TO U.S. EPA REQUEST FOR INFORMATION QUESTIONS

This is a response to the July 5, 2011 CERCLA Section 104(e) Request for Information Letter ("RFI") sent by EPA and received by Ingram Barge Company (listed as Ingram Marine Group in the letter) ("Ingram"). The RFI requests information as to the alleged prior activities at the Gulfco Marine Maintenance Superfund Site ("Gulfco" or "Site"). Ingram has obtained an extension from Anne Foster, Assistant Regional Counsel with EPA's Office of Regional Counsel, and is therefore responding to this request on or before August 22, 2011.

Ingram used its best efforts to discuss this matter with relevant employees and review any and all files and documents in its current care, custody, and control that are likely to pertain to this matter.

GENERAL INFORMATION CONCERNING RESPONDENT

1. PROVIDE THE FULL LEGAL NAME AND MAILING ADDRESS OF THE RESPONDENT.

Ingram Barge Company
One Belle Meade Place
4400 Harding Road
Nashville, TN 37205-2290

2. IDENTIFY AND PROVIDE THE FULL NAME, TITLE, BUSINESS ADDRESS, AND BUSINESS TELEPHONE NUMBER FOR EACH PERSON ANSWERING THESE QUESTIONS ON BEHALF OF THE RESPONDENT, AND EACH PERSON(S) THAT WAS RELIED ON OR CONSULTED WITH IN THE PREPARATION OF THE ANSWER.

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Leigh Ann Hale

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(615) 298-8350

3. IF RESPONDENT WISHES TO DESIGNATE AN INDIVIDUAL FOR ALL FUTURE CORRESPONDENCE CONCERNING THIS SITE, INCLUDING LEGAL NOTICES, PLEASE PROVIDE THE INDIVIDUAL'S NAME, ADDRESS, AND TELEPHONE NUMBER.

Daniel P. Mecklenborg
Senior VP Human Resource, Chief Legal Officer and Secretary of Ingram Barge Company
One Belle Meade Place
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SPECIFIC INFORMATION RELATING TO SITE OPERATIONS

4. IDENTIFY AND INCLUDE A BRIEF DESCRIPTION OF THE NATURE, TIMEFRAME(S) AND STATUS OF THE RESPONDENT'S BUSINESS RELATIONSHIPS WITH GULFCO INC., GULFCO MARINE MAINTENANCE, INC., FISH ENGINEERING AND CONSTRUCTION, INC., HERCULES MARINE SERVICES CORPORATION, LDL COASTAL LIMITED L.P., LDL MANAGEMENT LLC, AND ANY OTHER PREVIOUS OR CURRENT OWNER OR OPERATOR OF THE SITE.

Ingram did not and does not have a business relationship with Gulfco Inc. or any other previous or current owners or operators of the Site according to our review of records, files and documents in our care and control and our interviews with relevant employees on this topic.

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Counsel for Ingram contacted EPA Region 6 and Elizabeth Webb at Thompson & Knight (counsel for Dow Chemical), asking for any information or documents showing that Ingram had a business relationship with any of the owners or operators of the Site. The only documents they had were: (1) a projected budget for 1996 for Hercules Marine Services Corporation ("Hercules"), which suggests that Hercules hoped that Ingram would use its services in 1996; and (2) a Hercules business plan for 1994-1995, prepared by Larry Ballinger and Jimmy Jackson in 1994, which contains two exhibits listing Ingram as a *potential* customer. Neither of these documents indicates that Ingram *actually* did business with any owner or operator of the Site. Ingram has not been able to locate any information to suggest that any such business actually took place.

Ingram has reviewed the following files and documents to obtain the information for this response:

- Legal records for Ingram Industries;
- Legal records for Ingram Barge Company;
- Barge Maintenance records;
- Liquids Department records;
- Accounting records; and
- Tax records.

The Accounting records are only available for the years 2001 to the current time, the Barge Maintenance records are only available for the years 2004 to the current time, with the rest of the files and documents destroyed per the corporate document retention policies.

Ingram has reviewed those documents and files that were available in electronic format for the tax records and did not find any mention of any operators or any owners of the Site. Additionally, Ingram has reviewed tax records stored in physical form from 1994 through 1998, and also did not find listed any operators or owners of the Site.

Ingram has reviewed all of the documents and files that are available and relevant, and that have not been destroyed per corporate document retention policies.

Ingram has interviewed the employees listed above in Question 2 in regards to possible dealings with the Site or any of its previous and/or current owners and/or operators. The employees listed above, in their best recollection, did not recall having any business relationship or contact with the Site, and/or its past and/or present owners and/or operators. Instead, employees who have worked in the positions of employment that would allow them to make decisions as to barge maintenance, in particular in the last 20 years, noted several maintenance facilities that were used by Ingram in the state of Texas, and the Site was not a facility listed among those that were used by Ingram in that area for barge maintenance and/or other services.

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Additionally, Ingram has queried various other employees, who may have had knowledge of a business relationship with the Site, and/or its owners and/or operators, and those employees did not have any knowledge of any potential business relationship with the Site.

- 5. IDENTIFY ALL TRANSACTIONS WITH THE SITE OWNERS AND/OR OPERATORS OF THE SITE THAT RESULTED IN MATERIALS BEING SENT TO THE SITE BY YOU FOR ANY PURPOSE, INCLUDING BUT NOT LIMITED TO BARGE CLEANING. IDENTIFY AND PROVIDE ALL DOCUMENTS RELATED TO EACH TRANSACTION, INCLUDING BUT NOT LIMITED TO INVOICES, MANIFESTS, SHIPPING PAPERS, BILLS OF LADING, RECEIPTS, LOG BOOK ENTRIES, TRIP TICKETS, WORK ORDERS, CONTRACTS, DOCUMENTS SHOWING THE NATURE OF THE MATERIALS INVOLVED, AND ANY EPA AND/OR STATE ENVIRONMENTAL FILINGS OR CORRESPONDENCE. FOR EACH TRANSACTION, IDENTIFY AND STATE:**

- a. THE TYPE AND PURPOSE FOR THE TRANSACTION;**

Not applicable; please see the response to Question 4.

- b. A DESCRIPTION OF THE MATERIALS INVOLVED, INCLUDING THEIR QUANTITY AND CHEMICAL CONTENT AND CHARACTERISTICS;**

Not applicable; please see the response to Question 4.

- c. ANY AMOUNTS PAID BY YOU IN CONNECTION WITH EACH TRANSACTION;**

Not applicable; please see the response to Question 4.

- d. THE DATE OF EACH TRANSACTION; AND**

Not applicable; please see the response to Question 4.

- e. THE DATE THE MATERIALS WERE SENT TO THE SITE.**

Not applicable; please see the response to Question 4.

- 6. IDENTIFY ALL PERSONS, INCLUDING THE RESPONDENT, WHO MAY HAVE ARRANGED FOR DISPOSAL OR TREATMENT OR ARRANGED FOR TRANSPORTATION FOR DISPOSAL OR TREATMENT OF MATERIALS, HAZARDOUS MATERIALS, HAZARDOUS SUBSTANCES, AND/OR HAZARDOUS WASTES (MATERIALS) FROM VARIOUS FACILITIES TO THE SITE. THIS INFORMATION SHALL IDENTIFY AND STATE, BUT NOT BE LIMITED TO THE FOLLOWING:**

- a. THE PERSONS WITH WHOM THE RESPONDENT MADE SUCH ARRANGEMENTS;**

Not applicable; please see the response to Question 4.

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b. THE PRECISE LOCATIONS FROM WHICH THESE MATERIALS ORIGINATED;

Not applicable; please see the response to Question 4.

c. THE NATURE, INCLUDING THE CHEMICAL CONTENT, CHARACTERISTICS, PHYSICAL STATE (E.G., SOLID OR LIQUID) AND QUANTITY (E.G., VOLUME OR WEIGHT) OF ALL MATERIALS INVOLVED IN EACH SUCH ARRANGEMENT;

Not applicable; please see the response to Question 4.

d. ALL TESTS, ANALYSES, ANALYTICAL RESULTS, AND MANIFESTS CONCERNING EACH MATERIAL INVOLVED IN SUCH TRANSACTIONS;

Not applicable; please see the response to Question 4.

e. THE PERSONS WHO SELECTED THE LOCATION TO WHICH THE MATERIALS WERE TO BE DISPOSED AND/OR TREATED. IN PARTICULAR, THE PERSONS WHO SELECTED THE SITE AS A LOCATION FOR DISPOSAL AND/OR TREATMENT OF THE MATERIALS. THIS INFORMATION SHALL INCLUDE WHERE THESE PERSONS INTENDED TO HAVE THE MATERIALS INVOLVED IN EACH ARRANGEMENT TREATED OR DISPOSED AND ALL EVIDENCE OF THEIR INTENT;

Not applicable; please see the response to Question 4.

f. THE AMOUNT PAID IN CONNECTION WITH EACH SUCH ARRANGEMENT, THE METHOD OF PAYMENT, AND THE IDENTITY OF THE PERSONS INVOLVED IN EACH PAYMENT TRANSACTION; AND

Not applicable; please see the response to Question 4.

g. PROVIDE CONTRACTS OR OTHER DOCUMENTS REFLECTING SUCH ARRANGEMENTS FOR TRANSPORTATION, DISPOSAL, AND/OR TREATMENT OF MATERIALS.

Not applicable; please see the response to Question 4.

7. IDENTIFY THE CORPORATE RELATIONSHIP(S) (SUCH AS SUCCESSOR BY NAME CHANGE, SUCCESSOR BY MERGER, ETC.) BETWEEN THE NAMED RECIPIENT OF THIS REQUEST AND ITS RELATED ENTITIES AS NAMED AT THE TIME MATERIALS WERE SENT BY RESPONDENT TO THE SITE. PROVIDE THE CORPORATE RECORDS WHICH DOCUMENT THAT CORPORATE RELATIONSHIP(S), INCLUDING BUT NOT LIMITED TO DOCUMENTS RELATED TO MERGERS, ACQUISITIONS, SALES, AND ASSIGNMENTS OF LIABILITY.

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Not applicable; please see the response to Question 4.

- 8. LIST ALL FEDERAL, STATE, AND LOCAL PERMITS, IDENTIFICATION NUMBERS, AND/OR REGISTRATIONS ISSUED TO THE RESPONDENT'S OPERATION FOR THE STORAGE, TRANSPORT, AND/OR DISPOSAL OF MATERIALS. INCLUDE RESPECTIVE PERMIT NUMBERS.**

Ingram is a barge company. It has been in the business of transporting materials for all time periods relevant to this matter. As written, this request is too broad for Ingram to provide a meaningful response. Accordingly, Ingram objects to this question as overly broad, burdensome, and irrelevant to the scope of this RFI.

- 9. PROVIDE NAMES AND ADDRESSES FOR ALL CARRIERS WHO TRANSPORTED MATERIALS ON BEHALF OF RESPONDENT TO HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES PERMITTED BY EPA OR THE STATE.**

Ingram understands the operations of the Gulfco site to involve barge cleaning. Ingram is not aware of its having sent any barges to the Gulfco site for cleaning. Ingram is not aware of having sent any waste materials to the Gulfco site for disposal. If this question is seeking information on waste disposal information generally, such information will be available in the waste manifests records of EPA and appropriate state agencies. Ingram does not believe that such generalized information is in any way relevant to the Gulfco Superfund Site. Otherwise, Ingram objects to this question as overly broad, burdensome, and irrelevant to the scope of this RFI.

- 10. IDENTIFY WHETHER A NOTIFICATION OF HAZARDOUS WASTE ACTIVITY WAS EVER FILED WITH EPA OR THE CORRESPONDING AGENCY OR OFFICIAL OF THE STATE. THIS INFORMATION SHALL INCLUDE, BUT NOT BE LIMITED TO THE FOLLOWING:**

- a. THE DATE OF SUCH FILING;**

Please see response to Questions 8 and 9. Otherwise, Ingram objects to this question as overly broad, burdensome, and irrelevant to the scope of this RFI.

- b. THE WASTES DESCRIBED IN SUCH NOTICE;**

Please see response to Questions 8 and 9. Otherwise Ingram objects to this question as overly broad, burdensome, and irrelevant to the scope of this RFI.

- c. THE QUANTITY OF THE WASTES DESCRIBED IN SUCH NOTICE; AND**

Please see response to Questions 8 and 9. Otherwise Ingram objects to this question as overly broad, burdensome, and irrelevant to the scope of this RFI.

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d. THE IDENTIFICATION NUMBER ASSIGNED TO SUCH FACILITY BY EPA OR THE STATE.

Please see response to Questions 8 and 9. Otherwise Ingram objects to this question as overly broad, burdensome, and irrelevant to the scope of this RFI.

11. IDENTIFY ALL FEDERAL, STATE, AND LOCAL OFFICES AND AGENCIES TO WHICH THE RESPONDENT HAS SENT OR FILED HAZARDOUS SUBSTANCE OR HAZARDOUS WASTE INFORMATION AND STATE THE YEARS DURING WHICH SUCH INFORMATION WAS SENT OR FILED.

Please see response to Questions 8 and 9. Otherwise Ingram objects to this question as overly broad, burdensome, and irrelevant to the scope of this RFI.